

IN SENATE OF THE UNITED STATES.

JUNE 30, 1848.

Submitted, and ordered to be printed.

Mr. CLARKE, from the Committee on Roads and Canals, made the following

REPORT :

[To accompany bill S. No. 302.]

*The Committee on Roads and Canals; to whom was referred the memorial of the legal representatives of Moses Shepherd, for payment for work done by him upon the Cumberland Road, report:*

That they find, by an examination of the papers accompanying the memorial, that, in the month of February, in the year 1817, the late Moses Shepherd contracted with an authorized agent of the United States to do certain mason's work on the Cumberland road, which contract was approved by the then President of the United States; that, in conformity with the contract, the said Moses Shepherd proceeded in the execution of the said work, receiving, from time to time, advances from the government; and that, at the conclusion of the work provided for in the contract, a large balance was claimed by said Shepherd as due to him by the United States; that certain suspicions of collusion between him and the agent of the government at that time induced the Secretary of the Treasury to refuse to pay the amount claimed by Shepherd: whereupon three commissioners were appointed to re-measure the mason's work done by said Shepherd on the said road, who made their report on the 2d of January, 1821. No settlement with Shepherd having resulted from this re-measurement, in 1824, he memorialized Congress for relief. Upon which memorial, the committee to whom it was referred, say, "that the evidence is satisfactory to them that Shepherd has acted with fairness, and without collusion of any sort with the agent." Both Houses of Congress acted upon the report, and passed a bill for the relief of the said Shepherd. Another petition to Congress asking for the payment of the balance of his claim, and for indemnification for costs and damages, together with interest on the amount withheld from him, was subsequently presented, and a bill was reported in the House of Representatives for his relief. Thereafter, a bill was passed, directing the Secretary of the Treasury to appoint a suitable person to take depositions

of witnesses in behalf of the United States, touching the claims of said Shepherd and others; which commission was duly appointed, and a mass of evidence was taken in relation to the charge of collusion against said Shepherd, and his claim for further compensation.

The evidence is too voluminous to be recapitulated in this report, and such recapitulation is unnecessary unless as a basis for definite and immediate action. It may be found amongst the papers on file with the memorial.

The committee believe that there is equitably and justly a balance due to the legal representatives of the said Moses Shepherd; and herewith report a bill for their relief, directing the accounting officers of the treasury to settle the said accounts accordingly.